

RICK A. YARNALL  
CHAPTER 13 BANKRUPTCY TRUSTEE  
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E-FILED

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

IN RE:  
CHRIS A KOFLER  
DEBRA A KOFLER

CASE NO: BKS-09-23036-BAM

CHAPTER 13

Hearing Date: October 01, 2009

Hearing Time: 1:30 pm

HAINES & KRIEGER, L.L.C.  
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 07/21/2009. The 341(a) Meeting of Creditors held on September 22, 2009 at 2:00 pm was:

- concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- The Trustee objects to the exemption(s) claimed [B.R.4003(b)]. As a result of the objection, the proposed Plan may fail to meet liquidation value [11 USC 1325 (a)(4)]. tax refund claimed exempt does not state year
- Other: Motion to avoid lien of deed(s) of trust must be completed prior to confirmation hearing; Trustee objects to attorney's fees sought to be paid thru Plan. Attorney's fees exceed amount previously established by attorney; Attorney to provide detailed statement as to the excessive amount of fees sought in this case. Objection to §6.02-6.10 as it does not comply with 11 U.S.C. §1325(a)(1);
- The debtor(s) has failed to cooperate with the Trustee [11 USC 521 (3)] as the following document(s) were not provided:
  - Bank statments: DCCU C&S#9500: Jan-June, SSSCU C&S#1176: Jan-June,
  - Other: Provide written status report at time of confirmation hearing & any subsequent confirmation hearings to Trustee as to loan modification

The Chapter 13 Trustee objects to the following line(s) on the Debtor's form B22(c) for the reason the amount stated therein is either incorrect or excessive and requires the debtor to provide documentation to support the claim;

- Line 30 - Part IVA. Other Necessary Expenses: taxes
- Line 37 - Part IVA. Other Necessary Expenses: telecommunication services
- Plan insufficient to pay dividend to unsecureds based on B22c

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00 per quarter the case is pending.

Dated: September 23, 2009

/s/ Rick A. Yarnall

Rick A. Yarnall, Chapter 13 Trustee